



United States Attorney  
Southern District of New York

The Jacob K. Javits Federal Building  
26 Federal Plaza, 37th Floor  
New York, New York 10278

October 23, 2024

**VIA ECF**

The Honorable Kimba M. Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

**Re:     *United States v. Garth Small, 24 Cr. 208 (KMW)***

Dear Judge Wood:

The Government respectfully writes regarding the status conference in this matter, which was scheduled for October 23, 2024 and adjourned by this Court to December 11, 2024 upon the defendant's application. The Government respectfully requests that the Court enter the attached proposed order excluding time under the Speedy Trial Act through December 11, 2024. Counsel for the defendant consents to the requested exclusion of time.

A conference is scheduled

Respectfully submitted,

for Wednesday, December 11, 2024,

DAMIAN WILLIAMS  
United States Attorney

at 1:30 p.m.

by: \_\_\_\_\_ /s/  
Jerry Fang / Jacob R. Fiddelman / Meredith Foster /  
Catherine Ghosh / Sheb Swett  
Assistant United States Attorneys  
(212) 637-2584/-1024/-2310/-1114/-6522

cc:     Defense Counsel (by ECF)

SO ORDERED: N.Y., N.Y. 10/24/24

*Kimba M. Wood*

KIMBA M. WOOD  
U.S.D.J.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

GARTH SMALL,

Defendant.

**ORDER**

24 Cr. 208 (KMW)

WHEREAS, the status conference scheduled in this matter for October 23, 2024 was adjourned by this Court to December 11, 2024 upon the defendant's application, with the Government's consent; and

WHEREAS, the Government filed an application on October 23, 2024, with the defendant's consent, to exclude time from the date of this Order through December 11, 2024 in the interest of justice to permit the defendant and his counsel to receive and review discovery, the defendant and his counsel to consider any potential pre-trial motions, and the parties to discuss a potential pretrial resolution to this case;

IT IS HEREBY ORDERED that the Government's application is granted because the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial, as it will permit the defendant and his counsel to receive and review discovery, the defendant and his counsel to consider any potential pre-trial motions, and the parties to discuss a potential pretrial resolution to this case. Accordingly, it is further ORDERED that the time from the date of this Order through December 11, 2024, is hereby excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

**SO ORDERED:**

Dated: New York, New York  
October24, 2024

  
HONORABLE KIMBA M. WOOD  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK